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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
ONE HUNDRED AND THIRTY-FIFTH MEETING

Held at Headquarters, New York,
on Friday, 13 November 1992, at 5 p.m.

President:	Mr. ERDOS	(Hungary)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. LI Daoyu
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	India	Mr. GHAREKHAN
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PERKINS
	Venezuela	Mr. BIVERO
	Zimbabwe	Mr. MUMBENGEGWI

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The meeting was called to order at 5 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN BOSNIA AND HERZEGOVINA

LETTER DATED 5 OCTOBER 1992 FROM THE REPRESENTATIVES OF EGYPT, THE ISLAMIC REPUBLIC OF IRAN, PAKISTAN, SAUDI ARABIA, SENEGAL AND TURKEY ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/24620)

LETTER DATED 4 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/24761)

LETTER DATED 9 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/24785)

LETTER DATED 9 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/24786)

The PRESIDENT (interpretation from French): In accordance with the decisions taken at the 3134th meeting of the Security Council, I invite the representative of Bosnia and Herzegovina to take a place at the Council table; I invite the representatives of Albania, Azerbaijan, Canada, the Comoros, Croatia, Egypt, Germany, Indonesia, the Islamic Republic of Iran, Italy, Jordan, Malaysia, Pakistan, Qatar, Senegal, Slovenia and Turkey to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a place at the Council table; Mr. Shkurti (Albania), Mr. Hassanov (Azerbaijan), Mrs. Fréchette (Canada), Mr. Moumin (Comoros), Mr. Drobnjak (Croatia), Mr. Graf zu Rantzau (Germany), Mr. Elaraby (Egypt), Mr. Wisnumurti (Indonesia), Mr. Kharrazi (Islamic Republic of Iran), Mr. Traxler (Italy), Mr. Abu Odeh (Jordan), Mr. Redzuan (Malaysia), Mr. Marker (Pakistan), Mr. Al-Ni'Mah (Qatar), Mr. Cissé (Senegal), Mr. Türk (Slovenia) and Mr. Akşin (Turkey) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): I should like to inform the Council that I have received letters from the representatives of Afghanistan, Kuwait, Lithuania, Norway, Romania, Tunisia and Ukraine in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representratives to participate in the discussion, without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ghafoorzai (Afghanistan), Mr. Abulhasan (Kuwait), Mr. Gureckas (Lithuania), Mr. Huslid (Norway), Mr. Florean (Romania), Mr. Khouini (Tunisia) and Mr. Batiouk (Ukraine) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): I have received a request dated 11 November 1992 from His Excellency Foreign Minister Ilija Djukic to address the Council. With the consent of the Council, I would propose to invite him to address the Council in the course of the discussion of the item before it.

There being no objection, it is so decided.

Sir David HANNAY (United Kingdom): I should like to begin by congratulating you, Sir, on your assumption of the office of President and by thanking your predecessor, Ambassador Mérimée, for the remarkable work he did during the month of October.

My delegation welcomes this debate and in particular the contributions already made to it by Secretary Vance, Lord Owen, Mrs. Ogata and Mr. Mazowiecki. It is important, from time to time, to stand back for a

(Sir David Hannay, United Kingdom)

moment and take stock of what the United Nations has done over the past year in Bosnia and Herzegovina and in the neighbouring regions of what was once Yugoslavia. We need occasionally to try to see the wood from the trees. When we do so we see that, serious as things are now, the United Nations has achieved a great deal.

A year ago the conflict in Croatia was at its height. Towns such as Vukovar and Osijek were almost totally destroyed, at appalling cost in civilian lives and livelihoods. Now, a year later, there is no longer full-scale war in Croatia and the United Nations keeps the peace in the areas that were so recently in flames. The situation in Croatia is still fraught with problems, as this Council knows only too well, but it is a great deal better than it was. Much credit is owed to the United Nations peace-keeping efforts through the United Nations Protection Force (UNPROFOR), to the United Nations humanitarian effort led by the Office of the United Nations High Commissioner for Refugees (UNHCR) and to other international efforts.

In Bosnia and Herzegovina, appalling as the situation is, one shudders to contemplate what the suffering there might be like without the work of UNHCR and the International Committee of the Red Cross (ICRC), without the Sarajevo airlift; and what suffering the coming winter would be bringing if UNPROFOR was not now deploying thousands of troops to ensure the delivery of humanitarian supplies.

We also have to think where we would be if there was no International Conference on the Former Yugoslavia, if there was no political process. It is not fanciful to imagine that we might already be in the midst of a wider conflict throughout the Balkans. We have so far averted this nightmare, and we must continue to do so.

(Sir David Hannay, United Kingdom)

I should like to take a moment to describe the role in these efforts of the European Community, of which my country is a member and currently President. It is a record that speaks for itself.

First, in the field of preventive diplomacy, the European Community has had its own monitoring mission deployed in the former Yugoslavia since July 1991. The mission now numbers some 400 people, including 350 monitors drawn from countries of the European Community and from Canada, Sweden, Czechoslovakia and Poland. The total cost of this mission to the European Community and the contributing states amounts to several million dollars a month. The monitoring mission works closely with UNPROFOR and performs an increasing variety of functions. It is active, for example, in the so-called pink zones outside the United Nations Protected Areas in Croatia. Together with UNPROFOR it brought about and is now maintaining the demilitarization of the Prevlaka peninsula. The European Community monitoring mission has recently extended its operations into Bulgaria, where it will operate close to the border with the former Yugoslavia. As President of the European Community, we are now negotiating similar European Community monitoring missions with Hungary and Albania.

(Sir David Hannay, United Kingdom)

In peace-making, the European Community has been active since the conflict in the region began. Since August this year the European Community and the United Nations have worked together in the International Conference on the Former Yugoslavia, developing the earlier work of the Conference chaired by Lord Carrington. Lord Owen and Secretary Vance have already described the work of that joint Economic Community-United Nations Conference so far. It is certainly too early to talk of breakthroughs, but it is clear that a great deal has in fact been achieved. The Conference is the best, probably the only, hope for a lasting settlement in the region.

In peace-keeping, the countries of the European Community are strongly represented in UNPROFOR, with nearly 5,000 troops in Croatia and 5,500 in Bosnia. Under exceptional arrangements for a United Nations force, the Bosnia humanitarian convoy protection operation is being financed by the States of the European Community themselves, at an estimated cost of $400 million. And the European Community is, of course, paying its usual assessed contribution of 32.15 per cent of the cost of all the other United Nations operations in the former Yugoslavia. To date, given the way the cash-flow system works, the States members of the European Community have paid over $80 million, or 42 per cent of total contributions, to work in Yugoslavia on peace-keeping in 1992.

In the humanitarian area, the European Community has again been prominent. The member States' contributions, to the UNHCR effort in former Yugoslavia amount so far to over $150 million, of which the British contribution has been nearly $30 million. The countries of the European Community have contributed another $22 million to the work of the ICRC and the United Nations Children's Fund (UNICEF). The Sarajevo airlift, in which

(Sir David Hannay, United Kingdom)

several member States are participating, has cost my country $2.5 million so far. Over 320,000 refugees from the former Yugoslavia have been given refuge by States members of the European Community.

The United Kingdom and other countries of the European Community are also active in helping to enforce the arms embargo on the former Yugoslavia and the economic sanctions against Serbia and Montenegro. The Western European Union and the North Atlantic Treaty Organization (NATO) are patrolling the Adriatic. Jointly, the Conference on Security and Cooperation in Europe (CSCE) and the European Community have sent three sanctions assistance missions to Romania, Bulgaria and Hungary, which are already proving effective in helping those countries enforce the sanctions. Further sanctions assistance missions will follow to other countries of the region.

All of that represents a massive effort by the United Nations and a massive effort by the European Community and its member States in terms of manpower and in terms of money. It has been costly, too, in terms of lives, for UNPROFOR, for the European Community monitors and for those operating the Sarajevo airlift.

But those efforts are clearly not enough. The situation on the ground is, if anything, still deteriorating, and more - much more - must be done.

In peace-making, Lord Owen and Secretary Vance, and the Conference over which they preside, deserve the full support of this Council and of all Members of the United Nations. The parties to the conflicts in the former Yugoslavia must be brought to realize that the international community expects them to settle their differences within the framework of the International Conference on the Former Yugoslavia. They must be brought to realize that no other mechanism, no other solution, is on offer. They must be brought to

(Sir David Hannay, United Kingdom)

realize, above all, that force is not the answer; that any territorial gains they may make through force of arms, and any demographic changes they may try to bring about in these areas by the use of force, cannot and will not be accepted by the international community; and that, within those internationally recognized frontiers, minorities are entitled to proper protection and full respect for their civil rights.

The international community will not accept the partition of Bosnia and Herzegovina into unilaterally declared so-called republics or other political entities. The constitutional proposals put forward by Secretary Vance and Lord Owen as a basis for negotiation deserve the full support of this Council.

In peace-keeping also we must press on. Earlier this week the Council authorized the deployment of observers to airfields in the region. In the draft resolution that we are now discussing we raise the question of deploying observers along the borders of Bosnia. The Mixed Military Working Group formed by the three parties in Bosnia is of crucial importance. And all parties must fulfil their commitments to work in that Group in continuous and uninterrupted session, to consolidate a complete cessation of hostilities in Bosnia and Herzegovina and to try to achieve the demilitarization of Sarajevo and other cities.

Sanctions, too, must be strengthened. We must ensure that they are not breached by way of the Danube or the Adriatic, and that goods in transit through Serbia and Montenegro are not diverted. The authorities in Belgrade and the Bosnian Serbs must be made to realize that the cost of their present policies is economic ruin and the status of a pariah in world affairs. Federal President Dosić and Prime Minister Panić have expressed good intentions, but they must be matched by policy changes and by effective action

(Sir David Hannay, United Kingdom)

on the ground, of which there has been all too little so far. If this does not happen, far from lifting sanctions this winter, we may have to consider further measures.

While on the matter of sanctions, I would like to say that it is the firm view of my Government that the arms embargo should not be lifted from any part of the former Yugoslavia. That would be a solution of despair. The very last thing that the suffering civilian populations of all the countries in that region need is the introduction of more arms. This could only lead to more killing, more suffering and the jeopardizing of efforts to deliver humanitarian supplies to those in need.

A massive joint effort is needed now to avert a humanitarian disaster this winter in Bosnia and Herzegovina. Following the Special European Council meeting at Birmingham last month, the European Community has set up a task force to support UNHCR efforts. Detention camps must be emptied. We fully support the work of the ICRC, which has to date supervised the release of 2,200 Bosnian detainees. Western countries have offered nearly 2,700 places for former detainees, and offers by countries of the European Community alone amount to some 45 per cent of this figure.

Finally, we must all do more in the area of preventive diplomacy. Kosovo deserves special attention, and here the efforts of Lord Owen and Secretary Vance and of the CSCE to develop more dialogue between the Yugoslavs and the Kosovars deserve our full support. Dialogue is the only way in which an explosion in Kosovo will be avoided, an explosion that could destabilize other countries in the area. Kosovo is a special case. It is a part of Serbia and a sensitive question for all Serbs. But, if it is not to become a disaster for Serbia, the Serbs should grant Kosovo autonomy within Serbia, and should

(Sir David Hannay, United Kingdom)

encourage the international community to help through the stationing of monitors or observers, under the auspices of the CSCE, which has already sent a resident mission to Kosovo. The Kosovars, for their part, should accept that demands for independence are not the best way to secure their rights and their future. Macedonia also deserves our attention, and I know that this is fully recognized by Lord Owen, Secretary Vance and their team.

It is a massive task that lies ahead. It comes on top of a formidable amount of work done so far by the United Nations and its agencies, the ICRC, the European Community and others. It is not easy to be optimistic. But, difficult as the situation is in the former Yugoslavia, we have to persevere. The alternative - to abandon peace-making, to lift the arms embargo and let the parties get on with the slaying and the destruction, to abandon the tormented civilian population to its fate - is an alternative we should not even contemplate.

The PRESIDENT (interpretation from French): I thank the representative of the United Kingdom for his kind words addressed to me.

Mr. PERKINS (United States of America): Once again this Council meets to discuss Bosnia and Herzegovina while the killing and the "ethnic cleansing" continues unabated. My delegation welcomes this constructive debate. The Council has to act again, and decisively, to toughen the sanctions against Serbia and Montenegro. The draft resolution the Council is considering will do just that. The message is clear. Sanctions will be enforced. Sanctions-busting will be halted. Aggression, "ethnic cleansing" and the resulting death and suffering will be halted.

We condemn without reservation the unscrupulous individuals who are using transshipment exemptions in an attempt to break the sanctions against Serbia and Montenegro. We will not allow sanctions-busters to misuse these exemptions.

The draft resolution we are considering should make it clear to all that the Adriatic will not be allowed to become a Serbian supply line. Sanctions-busters will be stopped and turned back. Even before the stop-and-search procedure is initiated we hope the glare of publicity will dissuade those individuals who seek to profit from this human tragedy.

The United States has reason to believe that tankers managed by Thita Tankers Company of Piraeus, Greece, have delivered petroleum products to the port of Bar, Montenegro, on at least two occasions since sanctions were imposed on 1 June 1992. Deliveries so far total over 200,000 barrels of petroleum products.

The Maltese-flagged oil tanker Thita Triton, owned by Liquid Cargoes Maritime and managed by Thita Tankers Company S.A., delivered approximately 200,000 barrels of petroleum products from Piraeus to Bar in late October. There may have been another delivery of petroleum products by a Thita tanker in progress as of 9 November.

(Mr. Perkins, United States)

The Greek tanker Thita Volcano made several trips in October from Priolo, Sicily, to Bar to deliver caustic soda. Caustic soda is a basic industrial precursor used to refine petroleum and is also used in the plastics, rubber, and steel industries.

The Maltese-flagged cargo vessel Lory, owned and managed by Socomar S.R.L. of Piano del Sorrento, Italy, has been chartered to deliver 8,000 tons of petroleum coke to Bar in November.

Ships belonging to the Heliopolis Shipping and Navigation Company of Alexandria, Egypt, have delivered cargo and have transported wood and other products from Bar regularly since sanctions were imposed.

The world community must make it clear that this behaviour will not be tolerated.

We are equally outraged by reports that ships on the Danube are unloading cargo inside Serbia and Montenegro. The Danube will not be used to funnel embargoed commodities to Serbia.

The draft resolution we are considering addresses these grave problems. It is our reply to those who flaunt their contempt for the will of the community of civilized nations. Most importantly, it is our response to the appeals of a people whose suffering must end.

By banning the transshipment of most energy and key industrial commodities, the draft resolution will aid us in ensuring compliance with Security Council resolution 757 (1992). By providing authority to halt inward and outward maritime shipping, the draft resolution helps us prevent the Adriatic from being used to circumvent the embargo. By reaffirming the responsibilities of the riparian States to prevent Danube traffic from serving Serbian ports, we hope to ensure compliance with Security Council resolutions 713 (1991) and 757 (1992).

(Mr. Perkins, United States)

The draft resolution which we are about to adopt asks the Secretary-General, in consultation with humanitarian agencies, to study the possibility of establishing safe areas for humanitarian purposes. My Government wishes to make it clear that this study is designed to see whether, as a temporary expedient, such zones are practicable and feasible ways to save human lives. Willingness to agree to such a study in no way suggests that we condone the concept of "ethnic cleansing", nor that we would ever acquiesce in any measures which would compromise the territorial integrity of Bosnia and Herzegovina; nor should it be taken to suggest that people should be encouraged to leave their homes.

It is imperative that the Council act to sever outside support for the aggressors inside Bosnia. We are satisfied that the draft resolution under consideration takes the first step in doing so. If, however, these measures fall short of what is needed, let no one doubt our resolve to do whatever is necessary to get the job done.

As I close, I want to express my Government's profound respect for and gratitude to the courageous men and women of the international community, especially those working for the United Nations Protection Force (UNPROFOR) and the Office of the United Nations High Commissioner for Refugees (UNHCR), who are serving in Bosnia and Herzegovina and enduring the horror of a tragic, senseless and murderous conflict under extremely difficult circumstances. They are doing their utmost to stop the fighting and to ensure the delivery of humanitarian assistance. Whereas those who started this conflict represent the worst in human behaviour, the representatives of the international community embody the most noble aspects of the human spirit.

Mr. LI Daoyu (China) (interpretation from Chinese): First of all, please allow me, Mr. President, to thank Mr. Vance and Lord Owen, Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, for their briefings to the Security Council.

I should also like to thank Mrs. Ogata, United Nations High Commissioner for Refugees, for her report to the Council.

The Chinese delegation highly appreciates the tireless and positive efforts of, as well as the progress made by, the Co-Chairmen in seeking a political solution to the crisis in the former Yugoslavia, and especially to the conflict in Bosnia and Herzegovina.

At the same time, I wish to express my special thanks to the Secretary-General and his colleagues for all their endeavours for peace.

The crisis in the former Yugoslavia has become a major hot spot in our present-day world, posing a grave threat to stability and peace in Europe and the world as a whole. It is only natural that China and the rest of the international community are seriously concerned and anxious about this.

The Chinese Government and people are particularly concerned about the present situation in Bosnia and Herzegovina. It is much to be regretted that a complete cease-fire has yet to be achieved there. We are profoundly grieved by the huge losses of life and property in Bosnia and Herzegovina, and sympathize deeply with those hundreds of thousands of displaced persons and the peoples of all nationalities there in their anguish and predicament caused by the conflict.

We call for the immediate cessation of all acts that violate international humanitarian laws, and the adoption of the necessary measures to ensure the rights of the displaced persons to return to their homes in safety.

(Mr. Li Daoyu, China)

In this connection, the Chinese delegation appreciates the humanitarian relief activies carried out by the international community, and especially the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, to alleviate the sufferings of the people in war-ridden Bosnia and Herzegovina.

Here I wish to mention the fact that recently the Chinese National Committee of the Red Cross also provided some humanitarian assistance to the people in Bosnia and Herzegovina.

We urge all parties to the conflict to create all the necessary conditions for the effective and unhindered delivery of the international humanitarian assistance and to ensure the safety of those people engaged in the delivery of humanitarian assistance.

The Chinese Government appreciates the mediation efforts carried out by such international and regional organizations as the United Nations, the European Community and the Conference on Security and Co-operation in Europe to resolve the crisis in Bosnia and Herzegovina. Meanwhile, we are of the view that all the international efforts should consistently abide by the norms governing international relations and should remain fair and reasonable so as to contribute to early restoration of peace and stability in Bosnia and Herzegovina and to an appropriate solution to the conflict.

(Mr. Li Daoyu, China)

The Chinese Government has always actively advocated the settlement of all disputes in international relations through dialogue and negotiation, and opposes the use or threat of use of force. We support the tremendous efforts made by the international community towards a political solution to the conflict in Bosnia and Herzegovina. We also support all proposals and measures that will contribute to the peaceful settlement of the crisis in the former Yugoslavia, including Bosnia and Herzegovina.

Historical experience has proved that no difference, be it an ethnic conflict or an inter-State dispute, can be settled by the use of force. The use of force will only complicate the situation, sharpen the differences, intensify the hatred and make it more difficult to solve the problem. We are not in favour of the use of force in any form in the settlement of the conflict in Bosnia and Herzegovina. In our view, only through dialogue and negotiation can the antagonism between the various parties in Bosnia and Herzegovina be removed. Only through dialogue and negotiation can their dispute be properly resolved, and a genuine, lasting and reasonable solution be found. In a word, the fundamental interest of everyone in Bosnia and Herzegovina lies in a peaceful solution to the conflict.

The Chinese delegation is glad to see that negotiations are now under way among the parties concerned in Bosnia and Herzegovina, under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. We strongly urge - and sincerely hope that this will happen - all the parties in Bosnia and Herzegovina immediately to stop all their hostilities, seize the opportunities and make greater efforts for an early settlement of all their differences and disputes through negotiations within the framework of the International Conference on the Former Yugoslavia,

(Mr. Li Daoyu, China)

so that all the people in Bosnia and Herzegovina can live in peace and harmony and set out on the peaceful road of reconstructing their homeland and developing their economy at an early date.

Mr. MERIMEE (France) (interpretation from French): On behalf of my delegation, I should like first to congratulate you, Sir, on your assumption of the presidency of the Security Council. I assure you of our complete support in the accomplishment of your task.

When the Security Council meets to consider a situation as controversial and complex as the terrible situation in which Bosnia and Herzegovina finds itself, it must send a clear message to the various parties. What I have to say is my delegation's view of what the international community should affirm forcefully through the Security Council.

First, the Council must indicate to the Serbian authorities of Belgrade that it does not believe that without their support - particularly logistical support - the Serbs of Bosnia and Herzegovina could continue the war on their own. Hence the need to strengthen the sanctions regime to avoid further infringements, whether by sea or river transportation or the transit of goods; hence, too, the need to strengthen control of the arms embargo, in particular by establishing monitoring of the borders of Bosnia and Herzegovina and by controlling possible arms deliveries by sea.

Next the Council must tell the Serbian leaders of Bosnia and Herzegovina that the international community rejects two things. It rejects the taking of territory by force and wants to see the territorial integrity of Bosnia and Herzegovina strictly respected. In this connection, the proposals for constitutional arrangements made by Mr. Vance and Lord Owen in our view form the basis of a political settlement. The Council further rejects the forced

(Mr. Mérimée, France)

displacement of populations and the shelling of cities under siege, of which the recent offensive against Jajce and the daily bombardments of Sarajevo, in violation of commitments made, constitute intolerable examples.

The Security Council must also appeal to all the parties in conflict on the territory of Bosnia and Herzegovina - Serbs, Croats and Muslims - to manifest at last the will to establish peace. To that end, we have a four-part message to the parties. First, they should observe the cease-fire and continue to negotiate in the Mixed Military Working Group in order to demilitarize Sarajevo and other cities of Bosnia and Herzegovina. They should facilitate United Nations peace-keeping missions and refrain from any threat or action endangering the personnel of the United Nations Protection Force. They should negotiate without delay a new constitution on the basis of the proposals made by Mr. Vance and Lord Owen with a view to a political settlement. Lastly, they should ensure the return to their homes of the hundreds of thousands of refugees and displaced persons so as to avoid maintaining, in the heart of Europe, an uprooted population deprived of the means to exist.

Finally, the Security Council asks the whole international community to do nothing that could further widen the gulf between the protagonists to the crisis. It urges them to make a sustained effort to contribute more actively to the restoration of peace in Bosnia and Herzegovina, and more generally throughout the former Yugoslavia. In this respect, it is appropriate to bear particularly in mind the risk of a deterioration of the situation in Kosovo, Sandzak and Vojvodina, and to begin now to contemplate action to ease the tension in these regions.

(Mr. Mérimée, France)

The Permanent Representative of the United Kingdom, which holds the Presidency of the European Community, recalled what the Europe of the Twelve has already done to try to find solutions to the conflict and to alleviate the suffering of the populations. May I also recall that the French Government has spared neither men nor resources. The French contribution is worth F 1 billion, of which over 30 per cent is for Bosnia and Herzegovina. The French contingent in Croatia and in Bosnia and Herzegovina totals 4,700 men, and nine French soldiers have already died on Yugoslavia soil. The resolve of my Government to continue to work for peace in Yugoslavia will not be weakened as a result. It is in this spirit that the French Government on 12 November 1992 exchanged notes with the Government of Bosnia and Herzegovina establishing diplomatic relations between the two countries.

The PRESIDENT (interpretation from French): I thank the representative of France for his kind words addressed to me.

The next speaker is the representative of Turkey. I invite him to take a place at the Council table and to make his statement.

Mr. AKŞIN (Turkey): It gives me great pleasure to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of November. You are a veteran in multilateral diplomacy with a very distinguished record, and we are confident that under your guidance the Council will successfully carry out its responsibilities. I would also like to pay homage to Ambassador Mérimée of France for the remarkable manner in which he conducted the work of the Council in October.

We welcome Mr. Cyrus Vance and Lord Owen, Co-Chairmen of the International Conference on the Former Yugoslavia, who are carrying out a task of historical importance. We also salute Mrs. Sadako Ogata, the United Nations

(Mr. Akşin, Turkey)

High Commissioner for Refugees, for the truly magnificent effort that she and her devoted staff have made for the benefit of the millions of people who have been rendered homeless in the former Yugoslavia. Also of great significance was the presence in this Chamber of Mr. Mazowiecki, the Special Rapporteur of the Commission on Human Rights. His revealing reports on the human rights situation in the former Yugoslavia have helped us all to comprehend the true nature of the problem we are dealing with. The four introductory statements that we heard provide us with a clear picture of the tragic situation in Bosnia and Herzegovina and should set the right tone for the debate.

(Mr. Aksin, Turkey)

In joint letters addressed to the Council on 5 and 19 October 1992, circulated as documents S/24620 and S/24678 respectively, the members of the Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina drew attention to the fact that aggression by Serbian elements in Bosnia and Herzegovina had continued while the humanitarian situation kept deteriorating. We, the members of the Contact Group, called for an immediate meeting of the Security Council to consider taking urgent action to restore peace and security in this critical region of the Balkans. We welcome the current meetings and hope they will yield results that will help bring to an end the tragedy unfolding in Bosnia and Herzegovina. The urgency of taking resolute and effective action has become all the more pressing in view of the continuing aggression by Serbian forces in brazen violation of Security Council resolutions, the appeals of the International Conference on the Former Yugoslavia and all norms of civilized behaviour.

At the outset of the tragedy in Bosnia and Herzegovina, my Government proposed a plan consisting of a step-by-step approach to solving the problem. The plan called for political will on the part of Governments and decisive action by the international community. It entailed a set of concrete measures designed to secure an immediate cease-fire and to create conditions that would prevent the aggressors from pursuing their violations of international humanitarian law. The plan called for an international military presence in Bosnia and Herzegovina, a force with a mandate to act in defence of the victims of aggression. Such a plan, energetically implemented at an early stage, would have sent a strong signal to Belgrade and its agents in Bosnia

(Mr. Aksin, Turkey)

and Herzegovina that the international community would shoulder its responsibilities and stand by the victims of aggression. This might have acted as a deterrent and perhaps spared the Bosnians the unspeakable horrors they have experienced in the last few months.

In the event, the action taken by the Security Council was well-intentioned but piecemeal and half-hearted. After months of frustrating attempts, a cease-fire continues to elude us, and "ethnic cleansing" continues unabated. The international observer forces in Bosnia and Herzegovina remain just that, observing the daily routine of wanton killings and destruction, the violations of human rights and the blockading of lifelines. Despite having been given the mandate, they still have no control over heavy weapons which rain death and destruction on civilian targets. Nor have they yet secured the unimpeded flow of humanitarian relief to the starving victims. In short, their presence has not produced the anticipated results.

The failure of the United Nations in Bosnia and Herzegovina is reflected in the grim contents of the report submitted by Mr. Mazowiecki, the Special Rapporteur of the Commission on Human Rights, as contained in document S/24766. In his report Mr. Mazowiecki observes that

> "widespread and serious human rights violations continue to be committed in Bosnia and Herzegovina and, in certain respects, have intensified. These violations are being perpetrated at the very time the parties are entering into commitments at the negotiating table at Geneva. As a result of those violations, a great number of people are suffering and have lost their lives. Thousands more find their lives threatened and

(Mr. Aksin, Turkey)

their human dignity violated. Unless immediate action is taken, many of them will not survive the coming winter. As indicated in the first report, the Muslim population are the principal victims and are virtually threatened with extermination". (S/24766, annex, para. 5)

The Special Rapporteur notes further that

"the principal objective of the military conflict in Bosnia and Herzegovina is the establishment of ethnically-homogeneous regions. Ethnic cleansing does not appear to be the consequence of the war, but rather its goal. That goal, to a large extent, has already been achieved through killings, beatings, rape, destruction of houses and threats. Such practices have intensified in recent weeks and there is less and less resistance on the part of the non-Serbian population, increasing numbers of whom are ready to abandon everything and to flee their homeland. Recent events ... prove that Serbian leaders in Bosnia and Herzegovina are not ready to desist in their plans. The Muslim and Croatian populations, in the territory controlled by Serbian authorities, live under enormous pressure and terror. Hundreds of thousands of people are being forced to leave their homes and to abandon their belongings in order to save their lives". (ibid., para. 6)

Nothing could be more revealing of the lack of effective response to the plight of the people of Bosnia and Herzegovina than those candid observations. It is ironic that this failure comes at a time when we are exploring ways to uphold and develop preventive diplomacy, peace-keeping and peacemaking in our deliberations on "An Agenda for Peace".

(Mr. Akşin, Turkey)

The core of the problem lies in the evil designs of the Serbian side and in the inability of the international community to deal effectively with these designs, which aim at creating a Greater Serbia by the use of force. The inadequate response of the United Nations has probably encouraged the Serbs to proceed with their land-grab and the attendant genocide. The Serbs in Bosnia and their sponsors in Belgrade would do well to realize that the international community cannot and will not remain indifferent to their acts of aggression and that they will be held accountable for their terrible crimes.

In line with its international responsibilities, my Government continues to support all efforts to reach a peaceful settlement. We remain prepared to assist any concerted international action to bring about an end to the Bosnian tragedy. In this connection, we commend the untiring efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and strongly urge all parties to cooperate with them and to refrain from exploiting the Conference. We commend the United Nations Protection Force (UNPROFOR), from its commander to its base units, for its professional competence, discipline and bravery while working under very difficult conditions. Within the context of the International Conference, we firmly support, in particular, the new proposals for a constitution for Bosnia and Herzegovina based on the principles of democracy, the protection of human and minority rights and the rejection of all plans based on ethnic or religious separation. The restoration of the sovereignty, territorial integrity and unity of Bosnia and Herzegovina is the only basis for an acceptable peaceful solution.

(Mr. Akşin, Turkey)

On the question of Bosnia and Herzegovina, we must confront the facts and understand their full implications. A Member of the United Nations, one in which all ethnic communities have lived for centuries in exemplary tolerance and harmony, is being dismembered and its people are being exterminated by the chauvinistic ambitions of a rapacious neighbour operating through its surrogates in that country. War is a terrible thing, and terrible deeds are committed in wartime by all combatants. But in the case of the conflict in Bosnia and Herzegovina, there can be no doubt about who the aggressor is and who the victim. Everybody knows the sinister role played by the Belgrade regime through the Yugoslav National Army and the Serbian and Montenegran irregulars who are aided, abetted and comforted by Belgrade for the purpose of creating a Greater Serbia. No evasion can hide these facts.

We also know that, despite successive resolutions, the Security Council has thus far not been able to end the fighting. It is against this background that Turkey advocates the selective lifting of the arms embargo imposed by resolution 713 (1991). Consequently we have included paragraph 7 in the Turkish draft resolution that has been prepared for the consideration of the Council.

We strongly believe that, in the light of the horrors facing Bosnia and Herzegovina and our inability in the United Nations to reverse that situation, the least we can do is allow the heavily outgunned Bosnians to exercise their inherent right of self-defence against an enemy that threatens their very existence. So long as the Serbian side continues to impose its will through the use of overwhelming force, there will be no incentive for it to

(Mr. Akşin, Turkey)

negotiate. If the Bosnian Government had adequate means to defend itself, this would deter the aggressor from pursuing a policy based on the use of force and perhaps induce it to resort to dialogue to overcome differences. As the situation stands, not only are the Serbian aggressors continuing to fight and grab more land, but they are also threatening the lives of literally hundreds of thousands of civilians by exposing them to starvation and disease in harsh winter conditions.

At this fateful hour, the credibility of the Security Council is being tested. For well over six months a catastrophic war has been raging in Bosnia and Herzegovina, and the conflagration threatens to spill over to other parts of former Yugoslavia. The time has come to tell Belgrade and the Bosnian Serbs that the patience of the international community is at an end.

(Mr. Akşin, Turkey)

We expect the Security Council to adopt a resolution at the end of this debate which squarely condemns those who are responsible for the carnage and the suffering. We expect this resolution to contain stern warnings to those who are resorting to force to comply with previous resolutions, end hostilities and get on with the business of reaching an overall political settlement through negotiations. We agree with Austria that provision must be made to establish secure regions under United Nations protection in Bosnia and Herzegovina where refugees can be looked after. We earnestly hope that the ideas contained in operative paragraphs 4 and 5 of the Turkish draft resolution will find their way into the resolution to be adopted by the Council.

The flow of relief supplies and essential needs to the beleaguered people of Bosnia and Herzegovina must not be allowed to be disrupted, because it is a matter of life and death.

Furthermore, all concentration camps and other detention centres must be closed and all prisoners and detainees released. The accountability of the perpetrators of crimes against humanity has already been established by relevant Security Council resolutions. We are confident that a speedy process will get under way to gather and analyse information on the crimes that are being committed. The violators of international humanitarian law must be made aware that by pursuing the policy of "ethnic cleansing" they have violated the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, namely article II(c), which stipulates that the act of deliberately inflicting on an ethnic group conditions of life calculated to bring about its physical destruction in whole or in part is an act of genocide.

(Mr. Akşin, Turkey)

We hope that Belgrade and its collaborators will be listening carefully to this debate. We hope that they will heed the message of indignation coming from the Council. The sooner they lay down their arms and get on with the process of negotiation, the better it will be for everyone, including themselves. Turkish public opinion and especially our many citizens of Bosnian ancestry are appalled and outraged by the indescribable horrors inflicted on a peaceful nation. Our people are determined not to allow the naked use of force to be rewarded or the crimes committed in Bosnia to go unpunished. My delegation is duty bound to reflect these sentiments here in the Council. We hope that the tenor of the present debate will find its reflection in a strong, effective resolution that will enhance the reputation and credibility of the Security Council. If we aim for anything less, history will judge us very harshly.

The PRESIDENT (interpretation from French): I thank the representative of Turkey for the kind words he addressed to me.

The next speaker is the representative of Malaysia. I invite him to take a place at the Council table and to make his statement.

Mr. REDZUAN (Malaysia): My delegation would like to extend its congratulations to you, Sir, as President of the Council for the month of November. We also commend the efforts and skills demonstrated by your predecessor, Ambassador Mérimée of France, during his presidency in October.

The Malaysian delegation would like to take this opportunity to express its sincere appreciation for the statements and the continuing valuable peace and humanitarian efforts of Mr. Cyrus Vance, Lord Owen, Mr. Mazowiecki and Mrs. Ogata. We appreciate in particular Lord Owen's reference to and understanding of the anguish being felt by millions of people in the Muslim world in seeing the continuing suffering and difficulties of the Bosnian

(Mr. Redzuan, Malaysia)

Muslims in Bosnia and Herzegovina. We are encouraged by the determination of both Mr. Cyrus Vance and Lord Owen, in their capacity as Co-Chairmen of the Geneva Conference, to uphold the basic principles of the Charter, international law and human rights, as well as by their proposed constitutional framework to ensure the territorial integrity and independence of Bosnia and Herzegovina.

It has been some 12 weeks now since members of the Organization of the Islamic Conference (OIC) wrote to the President of the Security Council requesting an emergency meeting of the Council, with formal debate, to consider the situation in Bosnia and Herzegovina. We very much regret the delay. The right of Member States to ask for an emergency meeting of the Security Council, with formal debate, to consider such a serious situation, involving a breach of international law and threatening international peace and security, has always to be respected by the Council.

This debate provides an important occasion for the general membership of the United Nations to bring to the attention of the Council their views on the real issues involved in the crisis in Bosnia and Herzegovina. For Malaysia this is also an opportunity to appeal to the Council to consider taking certain practical measures to relieve the suffering of the Bosnians, while continuing to seek a durable peace in Bosnia and Herzegovina.

For several months now the world has been witnessing so much killing, human suffering and destruction in Bosnia and Herzegovina. The United Nations and the European Community have been engaging in efforts to bring peace and relief to the people of the country. However, various resolutions adopted by the Security Council and agreements on cease-fires worked out by the European Community and the United Nations have been ignored. The sanctions applied by the Security Council have not had their desired effect.

(Mr. Redzuan, Malaysia)

Here we are not faulting efforts and intentions. Lord Owen and Mr. Vance clearly represent the indefatigable efforts expended on behalf of the United Nations and the European Community, but clearly what allows the situation to continue and the Serbs to remain unchecked is the absence of a clearly acknowledged international authority that is resolutely prepared to ensure that its authority is capable of being enforced to the limits necessary to turn the situation around.

The horrific events related to atrocities committed in the concentration camps and the Serbian policy of "ethnic cleansing", on top of the daily news of the Serbs' indiscriminate bombardment of civilian population centres in Bosnia and Herzegovina, have raised a public outcry in various parts of the world. Serbian aggression, the killing of Bosnians and the destruction of towns and villages continue. The international community welcomed the agreement concluded at the London Conference, which raised hopes for a peaceful solution to the problems in former Yugoslavia. But the hopes for peace brought about by the London Conference are being undermined by the ruthless forces of Serbian nationalism, which have no respect for the rule of law and basic human rights.

The situation in Bosnia and Herzegovina is not just a civil or tribal war. It is not just a humanitarian situation. The reality is that the international community is now facing the most serious revival in the post-cold-war era of an age-old nationalist and ethnic hatred, intolerance and drive for expansion.

No matter how well disguised, the situation in Bosnia and Herzegovina involves armed intervention and aggression by Serbia and Montenegro. Local Serb militia and former Yugoslav People's Army (JNA) units in Bosnia and

(Mr. Redzuan, Malaysia)

Herzegovina are spearheading the attacks on Bosnians in what clearly is an attempt to build a greater Serbia. Already the Serbs through their acts of aggression, "ethnic cleansing" and other illegal activities have acquired more than 70 per cent of the territory of Bosnia and Herzegovina. Thousands of Bosnians have died and 1.8 million people - 40 per cent of the population - have been driven out of their homes as displaced persons.

The situation involves one of the most serious violations of human rights and international humanitarian law in contemporary history. The Serbian policy of "ethnic cleansing" is despicable and the policy, plus the other forms of atrocities, including the Serbian concentration camps, is a crime against humanity. The report of the Secretary-General on the human rights situation in former Yugoslavia, contained in document S/24766 of 6 November 1992, and the information and evidence provided in reports submitted by individual countries in accordance with Security Council resolutions 771 (1992) and 781 (1992) once again confirm the atrocities committed by the Serbs. In this connection, Malaysia welcomes the decision of the Security Council to create a Commission of Experts to collate, study and report on human rights violations in Bosnia and Herzegovina, but the work of that Commission must soon be followed by action from the Council to bring those responsible to justice.

While we welcome the actions taken by the Security Council to ensure safe and effective distribution of food and other relief supplies, more needs to be done, as the efforts of the United Nations Protection Force (UNPROFOR) and United Nations relief agencies are often hindered and many Bosnians are without food, supplies and basic amenities.

(Mr. Redzuan, Malaysia)

With the deterioration of the situation in Bosnia and Herzegovina following the London Conference, there is also a need to go beyond addressing the plight of the Bosnian population under siege and daily bombardments by the Serbs, through United Nations relief efforts. The United Nations must get down to the root causes, amongst others, by putting an end to the siege and bombardments of many Bosnian civilian centres by the Serbs.

At the same time, there is a need for the United Nations to maintain a firm stand in upholding the principle of non-recognition of territories acquired through Serbian acts of aggression, "ethnic cleansing" and other illegal actions. Any form of accommodation to Serbian land-grab through the use of force and other illegal actions in Bosnia and Herzegovina would only encourage the drive for a Greater Serbia, and this could well lead to even wider conflagration in the Balkans, further threatening international peace and security. United Nations efforts at preventive diplomacy should be pursued in areas of Serbia and Montenegro and Macedonia, where the majority of the population are non-Serbs, in particular in Kosovo, to avoid and deter the Serbian penchant for "ethnic cleansing" and the suppression of the rights of the local non-Serbian population.

The Malaysian delegation has studied closely the letters addressed to the President of the Security Council from the Government of Bosnia and Herzegovina submitted by its Permanent Representative, Ambassador Muhamed Sacirbey, drawing the attention of the Council to the deteriorating situation in the country and their repeated appeals for help from the United Nations and the Security Council. We fully share their sense of anguish and desperation in seeking compassion and more resolute action by the Council. In this regard, I should like to draw the Council's particular attention to the letter of 4 November 1992 from the Permanent Representative

(Mr. Redzuan, Malaysia)

of Bosnia and Herzegovina to the President of the Security Council (S/24761) dated 4 November 1992. In the letter the Permanent Representative of Bosnia and Herzegovina highlighted not only the continuing, but in some cases escalating, Serbian acts of violence and other violations of Security Council resolutions and the London Peace Accords.

It has been so painful for our people in Malaysia - and I am sure the same anguish is shared by the people of other nations - to see the Serbian atrocities that are still being committed in defiance of so many Security Council resolutions and the London Peace Accords.

We understand the complexities of the situation in Bosnia and Herzegovina and the difficulties on the part of the Council to consider and decide on collective enforcement measures under Chapter VII of the Charter. However, there are crucial issues which must be addressed now by the Council. There is an imperative need for the Council to undertake urgent measures to address the very serious humanitarian situation in Bosnia and Herzegovina, especially with the winter season fast approaching. According to the report of the Office of the United Nations High Commissioner for Refugees (UNHCR), some 400,000 people are expected to perish without urgent humanitarian assistance. The number of Bosnian civilians who are considered as displaced persons by the UNHCR now stands at 1.8 million and is expected to grow, putting additional pressure on the limited capacities of United Nations and other international relief agencies. Croatia and other neighbouring countries are already suffering severe strains from having to accommodate the outflow of refugees from Bosnia and Herzegovina.

Malaysia would like to appeal to the Security Council to create, on an urgent emergency basis, safe havens, no-fire zones and land corridors within the framework of United Nations protected zones in various parts of Bosnia and

(Mr. Redzuan, Malaysia)

Herzegovina so that the Bosnian Muslim population are safe and secure from Serbian attacks, and international food and other relief assistance can be delivered and distributed to them. At the same time, the Security Council should follow up on the London Peace Accords to close Serbian concentration camps and settle those released Bosnians temporarily in the areas designated as safe havens. In this regard, the Council should expand the strength and mandate of UNPROFOR to enable United Nations forces and relief agencies to fulfil their additional tasks.

The Malaysian delegation would like to draw the attention of the Council to the constructive proposals of Lord Owen to improve the humanitarian situation in Bosnia and Herzegovina. This includes the idea of United Nations relief flights to other airports and airfields in Bosnia and Herzegovina. They could be supported with airdrops of human relief supplies wherever necessary.

Malaysia would also like to join the appeal by Turkey, and supported by other countries members of the Organization of the Islamic Conference (OIC), that the Council lift immediately the arms embargo on Bosnia and Herzegovina and restore the right to self-defence under the Charter. We fully share the view that the United Nations embargo against the former Yugoslavia is clearly meant for the aggressors and should not have the effect of denying the right of self-defence to the victims of aggression. It is unjust to allow the situation to continue uncorrected when the Serbs are so heavily armed and are getting constant supplies, whereas whatever arms possessed by the Bosnians will soon be rendered useless if they do not have the ammunition to defend themselves and will be at the mercy of the murderous Serbian forces. No action by the Council in the circumstances would be tantamount to a "do nothing policy" and would allow the slaughter of Bosnian Muslims to continue.

(Mr. Redzuan, Malaysia)

In addition, the Council should by now be prepared to impose additional sanctions, not only on Serbia and Montenegro but also on areas in Bosnia and Herzegovina and Croatia controlled through force of arms by Serbian militia and former Yugoslav People's Army (JNA) units.

Malaysia, for its part, is prepared seriously to consider assisting in such United Nations efforts provided there is a request from the Council and the operation is financed under regular peace-keeping budget procedures. We are not unmindful that we from the Islamic countries should do more as a group.

The plight of the Bosnian Muslims has touched the hearts of the people of Malaysia. There are a number of ongoing voluntary efforts to assist the people of Bosnia and Herzegovina. To date, more than $2 million have been collected through voluntary contributions. In addition, the Government of Malaysia is actively engaged in assisting in whatever way it can the Government of Bosnia and Herzegovina. We have begun, for example, taking in refugees from the war-torn country; we have also brought to Malaysia orphan children who have been victims of the war there to live in Malaysia until stability and security returns to that country.

Malaysia also believes that the task of addressing the humanitarian situation in Bosnia and Herzegovina is vast and urgent and that it would be necessary to galvanize emergency international humanitarian assistance through a plenary meeting of the General Assembly at its current forty-seventh session. The Malaysian delegation is working closely with the Permanent Mission of Bosnia and Herzegovina to galvanize the support of the general membership in this direction.

The other course of action which the Council will have to consider in the next few months or so is the inevitability of having to undertake

(Mr. Redzuan, Malaysia)

collective enforcement measures, even in a graduated step-by-step approach, if there are continuing violations of Security Council resolutions and the London Peace Accords by the Serbs. Let me repeat that we are fully aware of how difficult it is to arrive at such a decision. But in the view of the Malaysian delegation, it is important for the Council to send a clear signal that the United Nations and the international community will not tolerate the brutalization of people and the dismemberment of a nation through the use of force and inhumane practices.

For many of us in the developing countries, what is at stake here is not just the situation in Bosnia and Herzegovina per se but also the bigger question of trust and confidence in the United Nations and its concept of collective security. The success of the United Nations in the maintenance of international peace and security, within the framework of collective security, is dependent on the ability on the part of the Council to act in upholding the rule of law on a non-selective basis.

In conclusion, I should like to reassure the Council that it is precisely because of our faith in the United Nations and its role in the maintenance of international peace and security that Malaysia has been urging for strong action by the Council in reversing acts of aggression to dismember a nation and the brutal use of force against its innocent civilians. For a peace-loving country, committed to the development and progress of its multiracial population, Malaysia fully empathizes with the fate of Bosnia and Herzegovina. If we sound critical, it is only because Malaysia, like other small and developing countries of the world, cannot afford to see the Security Council fail in rising to the challenge as we try to bring about peace and hope for every human person wherever that person may be.

The PRESIDENT (interpretation from French): I thank the representative of Malaysia for the kind words he addressed to me.

The next speaker is the representative of Germany. I invite him to take a place at the Council table and to make his statement.

Mr. GRAF ZU RANTZAU (Germany): Allow me to join the other speakers in congratulating you, Sir, on Hungary's assumption of the presidency of the Security Council. It is an honour for me to speak under your able guidance, and I am confident that your work will be as successful as was that of your predecessor, the Permanent Representative of France, Ambassador Mérimée.

I should like to thank High Commissioner Ogata, Special Rapporteur Mazowiecki, Secretary Vance and Lord Owen for their statements. They have provided the sobering basis for our debate.

Germany fully supports the draft resolution on Bosnia and Herzegovina before the Security Council. It is more than regrettable that the need for a new Security Council resolution on Bosnia and Herzegovina has arisen. The Council is taking this step because it cannot ignore the numerous violations of obligations assumed at the Yugoslavia Conference and contained in its earlier resolutions. It is primarily the Serbian side which is responsible for these violations as it continues its war of conquest and expulsion in Bosnia and Herzegovina. However, there have also been other developments that give rise to concern, such as the recent clashes between Croatian and Government forces.

The International Conference on the Former Yugoslavia has achieved significant progress in a number of areas. We are all indebted to its Co-Chairmen, Secretary Vance and Lord Owen. It is the only framework within which a peaceful solution can be attained. I should like to emphasize

(Mr. Graf zu Rantzau, Germany)

Germany's strong support for the constitutional framework for Bosnia and Herzegovina drawn up at the Conference.

Despite the tireless commitment of the Conference's Co-Chairmen, despite the efforts of the United Nations Protection Force (UNPROFOR) and Office of the United Nations High Commissioner for Refugees (UNHCR), as well as those of the International Committee of the Red Cross (ICRC) and the European Community Monitoring Mission, the situation in Bosnia and Herzegovina remains extremely alarming. One cannot fail to note that Serbian extremists have used their participation in international negotiations as a smokescreen behind which they have pursued their goals with undiminished intensity. Germany firmly supports the Security Council position that the acquisition of territory by force and the practice of "ethnic cleansing" are unacceptable. All displaced persons must be enabled to return in peace to their homes. All parties must recognize that the international community will not accept the results of a policy of force. This applies first and foremost to attempts to divide Bosnia and Herzegovina, whatever the label applied. The monitoring of cease-fire lines does not imply recognition of the status quo. Serbian leaders must know that they cannot exploit the presence of UNPROFOR for their purposes.

Sanctions must remain in place until the Serbian side is willing to renounce the use of force and reverse territorial gains as well as the results of mass expulsion. At the same time we must be willing to respond in a positive manner to constructive proposals. In this context Germany believes that Prime Minister Panic's proposal regarding the deployment of international observers on the border between Serbia and Montenegro and Bosnia and Herzegovina deserves consideration.

The war in Bosnia and Herzegovina, with its inhumane practices of "ethnic

(Mr. Graf zu Rantzau, Germany)

cleansing", barbaric camps, torture and murder, does not even spare innocent refugees, children, the old or the sick. This terror is not a concomitant but the key element of the Serbian war against the majority of the population of Bosnia and Herzegovina. The second report by the Special Rapporteur of the Commission on Human Rights, Mr. Mazowiecki, which was presented recently, makes this terribly clear. The Muslim population's very existence is at stake. The imminent winter and the looming refugee disaster require wide-ranging humanitarian relief measures.

The European Council reacted to this situation by substantially increasing emergency measures at its meeting at Birmingham on 16 October. In implementing the Birmingham decisions Germany is at the same time stepping up its bilateral aid. As part of the international community's burden-sharing, Germany has made available some DM 275 million for humanitarian assistance since the outbreak of the conflict. After the European Community Commission, it is the largest donor of humanitarian aid to the former Yugoslavia. A large proportion of this aid is going to the population of Bosnia and Herzegovina, where it is distributed without regard to nationality. Our efforts will be coordinated with the European Community's newly established task force. We shall continue to work closely with UNHCR. Germany, together with France, will further study the possibility of establishing safety havens in the region of Bihac. In this context we believe that the arguments put forward by Mr. Mazowiecki should be given careful consideration. The opening of additional corridors for humanitarian convoys and the establishment of security zones within Bosnia and Herzegovina could make a significant contribution to aiding those in need.

Apart from its efforts to help the affected population on the ground, Germany has taken in more than 250,000 refugees from the former Yugoslavia,

(Mr. Graf zu Rantzau, Germany)

and the efforts of my Government have been complemented by an extraordinary willingness on the part of citizens of my country to help the refugees.

Germany pays respect to the members of UNPROFOR and UNHCR deployed in Bosnia and Herzegovina as well as in Croatia. These men and women daily risk their lives. German pilots are among them. UNPROFOR's efforts to get humanitarian assistance to where it is needed in Bosnia and Herzegovina must neither be obstructed nor subjected to unacceptable danger. The ban on military flights must be observed. Germany will continue to support UNPROFOR efforts. More specifically, the Federal Government has earmarked resources to support UNPROFOR in Bosnia in the area of logistics.

If the human suffering and the war in Bosnia and Herzegovina are to end, all parties must honour the obligations arising out of the Security Council resolutions and the Yugoslavia Conference. Together with its partners in the European Community, Germany will do everything within its power to contribute to a peaceful settlement of the conflict.

The PRESIDENT (interpretation from French): I thank the representative of Germany for his kind words to me.

The last speaker on my list for this afternoon is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. ELARABY (Egypt) (interpretation from Arabic): Allow me at the outset to extend to you, Sir, my congratulations on your accession to the presidency of the Council for this month. The Egyptian delegation is confident that with your distinguished diplomatic experience and great and well-known linguistic abilities you will be able to help the Council reach concrete results in dealing with the international crises now before it.

(Mr. Elaraby, Egypt)

I should also like to thank your predecessor, His Excellency Ambassador Merimee, the Permanent Representative of France, for his outstanding efforts during his presidency of the Council last month.

The Security Council meets today to consider developments in the deteriorating situation in Bosnia and Herzegovina, which, as the Security Council decided previously, constitutes a threat to international peace and security.

The Republic of Bosnia and Herzegovina is in the grip of continuing tragic and rapid events that may lead, in a short while, to a situation that would establish a dangerous precedent: a Member State of the United Nations is about to disappear, and every day its people are being exposed to expulsion, homelessness and collective death.

Therefore, the delegation of Egypt urges the Council promptly to take all possible measures provided by the Charter to put an end to this tragedy, as follows. First, it should impose an immediate compulsory cease-fire, at the same time obliging the intransigent party to comply with international legality. Secondly, it should provide the necessary guarantees to protect the Republic of Bosnia and Herzegovina, which is a Member State of the United Nations, from the possibility of collapse. Thirdly, it should make it possible for the people of Bosnia and Herzegovina to enjoy its natural right to live in peace and security within its recognized international borders. Fourthly, it should enable the Government of the Republic of Bosnia and Herzegovina to exercise its legitimate right to self-defence in accordance with Article 51 of the Charter.

The comprehensive political settlement of the current crisis in the areas that used to constitute the territory of the former Yugoslavia is imperative,

(Mr. Elaraby, Egypt)

but the real guarantee of justice, comprehensiveness and durability of a political solution lies in dealing with the real causes of the problem rather than remedying the outward symptoms.

In this context, the delegation of Egypt follows with interest and appreciation the international efforts made within the framework of the International Conference on the Former Yugoslavia, and it wishes to pay tribute to the contributions of Mr. Cyrus Vance and Lord David Owen in this respect.

My delegation has reviewed the Secretary-General's valuable report on the International Conference in document S/24795, which reviews the various efforts exerted to settle the problem and to elaborate constitutional arrangements for Bosnia and Herzegovenia in the future. It also deals with confidence-building measures and matters relating to the succession of the former State of Yugoslavia and the human rights of minorities.

My delegation welcomes the draft outline of the proposed constitution, and we hope it will be agreed upon by the parties to the conflict. However, we wish to draw attention to the fact that all the principles, ideas and constructive proposals contained in the Secretary-General's report will be subject to question if the situation continues to deteriorate, and thereby threaten the very existence of the State of Bosnia and Herzegovina. It is therefore essential promptly to take the necessary measures to put an end to the genocide, collective deportation and other practices which, if continued, might lead to a situation in which the majority of the people of Bosnia and Herzegovina would no longer exist on their territory and would, therefore, be unable to benefit from implementation of the proposed constitutional settlement.

(Mr. Elaraby, Egypt)

At a time when the world stands at the threshold of the twenty-first century, and the international community devotes particular attention to the dignity of man and to human rights, we witness the emergence of new racist abominations such as the "ethnic cleansing" in the pursuance of which repressive practices and inhuman actions are being perpetrated against the majority of the people of Bosnia and Herzegovina, especially Muslims, with a view to evicting them from their land and territory, and by emptying that land of its original inhabitants, changing the demographic composition of a whole people for political ends, in pursuit of expansionist designs.

Every problem has its causes and effects. It is imperative for the Council to take the necessary measures to put an end to the operations of "ethnic cleansing", but it is also necessary to guarantee the right of immediate return for the refugees and deportees who have been forced to leave their lands because of those repressive practices. They must be resettled in their homeland as soon as possible. It is also imperative that the authorities responsible for such repressive measures should be forced to pay compensation to those who have lost properties.

The delegation of Egypt appreciates the attention accorded by the Security Council to the humanitarian aspects of the Bosnia and Herzegovina problem. It is also gratified that the Secretary-General has established a Committee of Experts concerned with the implementation of Security Council resolution 780 (1992), and it calls upon the international community to extend the necessary facilities to that Committee. We hope the Committee will succeed in discharging its mandate, and will furnish the Security Council with its conclusions concerning the grave breaches of the Geneva Conventions and of international humanitarian law in the former Yugoslavia as soon as possible.

(Mr. Elaraby, Egypt)

In this regard, we wish to commend the outstanding efforts of Mr. Mazowiecki, the Special Rapporteur of the Commission on Human Rights in Yugoslavia.

In this context, the delegation of Egypt wishes to emphasize the importance of establishing an international criminal court to try those responsible for the war crimes that have been and continue to be perpetrated. The presence and work of such a court would act as a deterrent to ensure the complete halting of such crimes, the ending of the "ethnic cleansing" that has been pursued in Yugoslavia, and the prevention of the repetition of such crimes in any other part of the world.

What is happening in Bosnia and Herzegovina is a real political crisis caused by the open and flagrant aggression by Serbia against the Republic of Bosnia and Herzegovina. Consequently, it will be impossible to put a stop to the deterioration of the situation unless we promptly take a prompt, firm and comprehensive stand against this aggression. This can be done only if the Council will take the necessary steps to ensure implementation of the demands contained in its numerous resolutions, particularly 752 (1992), 757 (1992), 777 (1992), 780 (1992), 781 (1992) and 786 (1992).

As a first step, the Council must determine which party was responsible for starting the aggression. It must adopt a resolution directed against that party, stipulating that it should be implemented immediately within a time-limit to be established by the Council. If that time-limit expires, the Council must then assume its international responsibilities. It must allow the international community to apply all the measures provided for in Chapter VII to impose implementation of the Security Council resolutions and to oblige the intransigent party to comply.

(Mr. Elaraby, Egypt)

All the external military elements currently present in Bosnia and Herzegovina should be disarmed immediately under full international control.

The steps previously taken by the Council should be completed in a manner that would ensure their obligatory and effective implementation. It may be useful and even necessary in this respect to declare the air space over Bosnia and Herzegovina a no-fly zone for aggressive military aircraft and that this be made compulsory, in accordance with Chapter VII of the Charter. In addition, protected zones should be established in order to deter any outside party from violating the ban imposed by the Council and from supplying arms or military equipment to any of the parties to the conflict, in a manner that would affect adversely the balance of military power between the parties and thereby enable the aggressor to have the upper hand, either in the military conflict or in the ongoing negotiations.

The Council is called upon to try to review the record and have a hard long look at the situation so that the conclusions it will arrive at may lead it to restore international legality, and uphold its norms. By so doing, it will demonstrate to all Member States of the Organization that it applies uniform criteria in all regions of the world and vis-à-vis all countries of the world without distinction.

Our peoples are following with pain and concern the continuing tragic developments of the situation in Bosnia and Herzegovina, and they are of the opinion that the steps taken so far by the Council still lack comprehensiveness and decisiveness and fail to take into account the time factor. The pliant attitude of the Council in dealing with the Federal Republic of Yugoslavia (Serbia and Montenegro) has gone on for long enough. It is high time the Council sent the necessary message of warning and

(Mr. Elaraby, Egypt)

deterrence to the rejectionist Serbian authorities so that they may comply with the rules of international legality.

The Council must demonstrate by its actions that it really respects the territorial integrity and the borders of Bosnia and Herzegovina. It must take measures that will ensure that the aggressor is not allowed to reap the fruits of its aggression and, by enforcing those measures, demonstrate the international community's rejection of any change in the borders, the geographical structure or demographic composition of Bosnia and Herzegovina. By so doing, the Council will also demonstrate rejection of all the results arising from practices that constitute breaches of international humanitarian law and will force all the parties to restore the situation to what it was before the aggression took place.

The representative of the United States of America mentioned that ships belonging to a company in Alexandria had transported some shipments to Yugoslavia. This is a matter which has been reported to us by the Sanctions Committee of the Council. We have advised the competent Egyptian authorities of the matter in order for them to investigate. We shall inform the Council of the findings of the competent Egyptian authorities.

In conclusion, my delegation would like to pay tribute to the pioneering role of and the courage displayed by the United Nations protection forces, to which many countries have contributed, including Egypt. Those forces will be carrying out the resolutions of the Security Council, and in so doing will face constant danger.

The delegation of Egypt should like to express its thanks also to all those who work in the field, particularly Mrs. Ogata, the United Nations High Commissioner for Refugees and those working with the Red Cross and humanitarian organizations and relief agencies.

The PRESIDENT (interpretation from French): I thank the representative of Egypt for the kind words he addressed to me.

In view of the lateness of the hour, I intend to adjourn the meeting now. With the concurrence of the members of the Council, the next meeting of the Security Council to continue consideration of the item on its agenda will take place on Monday, 16 November 1992, at 10 a.m.

The meeting rose at 6.35 p.m.